



CALIFORNIA FARM BUREAU FEDERATION

NATURAL RESOURCES AND ENVIRONMENTAL DIVISION

2300 RIVER PLAZA DRIVE, SACRAMENTO, CA 95833-3293 • PHONE (916) 561-5665 • FAX (916) 561-5691

December 5, 2008

Secretary Mike Chrisman
California Resources Agency
1416 9th Street, #1311
Sacramento, CA 95814

Secretary Linda Adams
California Environmental Protection Agency
1001 I Street
Sacramento, CA 95814

Secretary A.G. Kawamura
California Department of Food and Agriculture
1220 N Street
Sacramento, CA 95814

President Michael Peevey
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Secretary Dale Bonner
California Business, Transportation and Housing Agency
980 9th Street, #2450
Sacramento, CA 95814

Re: Comments for December 5, 2008 Delta Vision Committee Meeting

Dear Members of the Delta Vision Committee:

The California Farm Bureau Federation ("Farm Bureau") is a non-governmental, non-profit, voluntary membership California corporation whose purpose is to protect and promote agricultural interests throughout the State of California and to find solutions to the problems of the farm, the farm home and the rural community. Farm Bureau is California's largest farm organization, comprised of 53 county Farm Bureaus currently representing over 33,000 farm families and more than 91,000 individual members in 56 counties. Farm Bureau strives to protect and improve the ability of farmers and ranchers engaged in production agriculture to provide a reliable supply of food and fiber through responsible stewardship of California's resources.

General Comments:

We have participated extensively in all phases of the Delta Vision process to date and appreciate the integrity, creativity, and commitment that the Delta Vision Task Force was able to bring to its Vision and subsequent Strategic Plan. We see many aspects of these documents and the thinking associated with them as an important step forward in the California water policy debate. At the same time, we continue to harbor some significant reservations. Acknowledging the significant

step and opportunity for input that the Delta Vision Committee phase of the process signifies, we take this opportunity to again respectfully submit the following perspectives at this time.

An efficient way to capture some of these perspectives without repeating the comments of others is to list numerous areas in which we are in general agreement with many cogent points made in a series of thoughtful public comments recently submitted by the Business Water Caucus (Letter to Hon. Phil Isenberg, dated September 30, 2008) and by the Association of California Water Agencies (Letter to Hon. Phil Isenberg, dated September 30, 2008). These public comments referred to the Strategic Plan and so do not speak directly to the Delta Vision Committee's current "Discussion Document," dated November 25, 2008. Nonetheless, we believe many of these points are critical, as a part of the underlying context for the Delta Vision Committee's present deliberations. With reference to the Business Water Caucus's September 30, 2008 letter and ACWA's November 25, 2008 letters, then, we would like to express our general support in numerous areas, including specifically:

- Governance, including the CDEW Council & Plan
 - The need for a well-considered and informed balancing of ecosystem and human water supply needs and for the consideration of possible, unacceptable economic consequences
 - The general unacceptability of the *status quo*
 - The need for basic adherence to traditional water rights laws, precedents, and priorities
 - The appropriateness of a robust role for water markets
 - The inappropriateness of uncompensated reallocation
 - The present lack of technical, factual and scientific support for many of the Task Force's ecosystem flow proposals
 - The on-going need for, but practical limitations of investments in "regional self-sufficiency," diversification of local water portfolios, and "integrated regional planning"
 - The practical limitations and possible unintended consequences of maximal water efficiency and the inappropriateness of a mandatory or "one-size-fit-all" approach in this area
 - The need for aggressive expansion of surface and groundwater storage to meet both ecosystem and water supply needs
-
- The need for agile delegation of Strategic Plan elements to existing agencies, as opposed to a single cumbersome, monolithic, and potentially unworkable CDEW Plan
 - The critical need for maximal flexibility and the inconsistency, on one hand, of the Task Force's co-equal goals, recommendations on wet-period diversions, a "more natural hydrograph," etc. and the proposed hard (i.e., unvarying) cap on exports on the other

- The position on diversion fees without a nexus to any clear benefit or service and the position on the proposed, separate export diversion fees
- The current excess of specific detail and numeric targets lacking actual analysis in support, as opposed to identification of “policy objectives” and delegation to existing agencies
- The importance of considering the role of various non-flow and non-project “stressors,” including non-native invasive species, predation, and ammonia from urban wastewater discharges in the Delta
- The need for consideration and avoidance of disproportionate impacts on upstream water rights
- The need for critical improvements to the existing conveyance system to improve ecosystem and water supply reliability, subject to the limitations described below

Where we have been sometimes obliged to part ranks with a number of our Business Caucus and ACWA-affiliated friends is on the fate of the Delta—and, particularly, of Delta agriculture. Whatever the approach that is finally selected and implemented on Delta conveyance, it is our position that any long-term conveyance approach must absolutely incorporate effective measures to provide water supply reliability and ecosystem improvement, but also adequate provision of effective assurances to private landowners and water users reliant on the core land base and water supply available in and to the Delta itself. Similarly, we are concerned that a final solution provision must incorporate measures to avoid adverse redirected impacts on upstream interests as well.

Some dispute vigorously that such a solution is in fact possible. At the present juncture, however, we see no other possible way to capture the diversity of perspectives on this issue within the broader agricultural community in the State of California and at the same weigh in on this critically issue than to continue to push for any solutions that would function reasonably well to meet the core needs of agricultural and non-agricultural interests alike in all areas of the State.

Specific Comments on the Delta Committee’s November 25, 2008 “Discussion Document”:

Regarding the Delta Vision Committee November 25, 2008 “Discussion Document,” specifically, we offer the follow comments:

- We believe strongly that the commitment to the development of critically needed new surface and groundwater storage appears to take several steps back from the Task Force’s recommendations. The Delta Vision Committee must much more forcefully reiterate and build upon the Task Force’s recommendations to aggressively pursue development of significant new surface and groundwater storage facilities. Significant new surface and groundwater storage capacity are a necessary complement to any future improvements to Delta conveyance and to other efforts, including improvements in local water supplies,

December 5, 2008

Delta Vision Committee

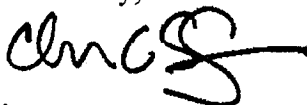
Comments for December 5, 2008 Meeting of the Delta Vision Committee

water use efficiency, and other alternative sources of supply (e.g., recycling, reuse, desalination, etc.).

- We oppose the over-broad recommendation to require mandatory reporting of "all diversion and use of water" throughout the State, particularly in areas that are hydrologically remote or entirely disconnected from the Delta and as pertains to groundwater. (See "Discussion Document," page 3.)
- We oppose imposition of "one-size-fits-all," mandatory water conservation and "monetary penalties for failure of water suppliers and users to achieve conservation targets and implement best management practices" and question the State's legal authority, as well as the practical feasibility and fairness of imposing such a blanket requirement on all water users. (See "Discussion Document," page 4.)
- In various portions of the document, we generally question the effectiveness of recommendations that attempt to resurrect or reconstitute defunct and out-dated or now marginal elements and structures of the CALFED Program, Record of Decision and Ecosystem Restoration Program.
- Similar to the proposed recommendations on mandatory conservation and mandatory reporting of "all water use," we oppose mandatory development of "streamflow recommendations" for tributaries in the Delta watershed under Public Resources Code sections 10000-10005, regardless of any need for such recommendations, any rational prioritization of such recommendations, and without proper consideration of the impact on upstream water rights and water supply.
- On page 5 (Bullets 2 and 3) and on page 6 (Bullet 3), we applaud the recommendations in support of a Delta regional economic plan, Delta Investment Fund, and a modified Delta Protection Commission devoted to these functions.
- On page 7, we oppose the proposed "water supply and environmental resource protection fees," similar to other fees, as discussed above—although we acknowledge the need for some means of stable and effective financing, "in specific circumstances" and "consistent with the law," including public expenditure for broad public benefits from a comprehensive water bond package.

Thank you once again for yet another opportunity to detail our concerns in this on-going process.

Sincerely,



Chris C. Scheuring
Managing Counsel

CCS\JEF\mmm